

**UNITED STATES DISTRICT COURT**  
for the

Western District of Virginia

APR 22 2015  
JULIA C. DUDLEY, CLERK  
BY: *M. Hupp*  
DEPUTY CLERK

United States of America	)
v.	)
JARED JAMILE FITZGERALD	) Case No: <u>4:10CR00006-001</u>
Date of Previous Judgment: <u>02/25/2011</u>	) USM No: <u>14532-084</u>
(Use Date of Last Amended Judgment if Applicable)	) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 169 months is reduced to 148 months\*.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: <u>31</u>	Amended Offense Level: <u>29</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>108</u> to <u>135</u> months	Amended Guideline Range: <u>87</u> to <u>108</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain):

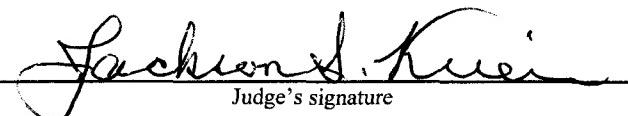
**III. ADDITIONAL COMMENTS**

\*Defendant is sentenced to 148 months, but not less than time served. Defendant's sentence consists of: 87 months on Counts 1, 3, and 5, to run concurrently; 1 month on Count 6, to be served consecutively to all other counts; and 60 months on Count 4, to be served consecutively to all other counts. Defendant's Motion to Appoint Counsel [ECF No. 126] is DENIED.

Except as provided above, all provisions of the judgment dated 02/25/2011 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 4/22/2015

  
Judge's signature

Effective Date: 11/01/2015  
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge  
Printed name and title